

REMARKS

This application pertains to a novel pressure-sensitive adhesive for single- or double-sided adhesive film strips that are redetachable without residue or destruction by extensive stretching.

Claims 1 - 11 are pending.

The claims have been amended to more specifically recite a pressure-sensitive adhesive. Support can be found throughout the specification, wherein the adhesive is consistently referred to as a PSA. See, for example, page 4, line 23; page 7, line 26; page 8, lines 27, 28, and 30 and page 9, lines 11 and 21.

The claims have also been amended to provide that no acrylate polymers are included in the adhesive. Support for this can be found in Example 1, where the composition of Applicants' adhesives is exemplified, and it can be seen that no acrylates are included. Although there is no other literal support for this exclusion in the specification, other than the absence of acrylate polymers from the formulation given in Inventive Example 1, this Example clearly conveys to those having ordinary skill in the art that Applicants had possession of the concept of a chelate-crosslinked pressure-sensitive adhesive formulation which does not contain any acrylates, and therefore provides the support required by 35 U.S.C. 112, first paragraph. See Ex parte Parks, 30 USPQ2d 1234 (Bd. Pat. App. & Int. 1993).

No new matter is added.

Claims 1-11 stand rejected under 35 U.S.C. 103(a) as obvious over Groves US 5,623,010 in view of supporting evidence provided by TYZOR Technical Bulletin K-17591, for reasons stated in the previous office action.

In the previous office action, the Examiner argued that Groves discloses an adhesive comprising a mixture blend of an acid-modified vinylaromatic block copolymer (referring to column 2, lines 40-60, examples 1-7, column 10, lines 55-67 and column 11, lines 1-7).

The Examiner further contends that Groves discloses, in Examples 2-7, compositions that comprise metal chelates.

However, nothing in Groves teaches or suggests anything about a pressure-sensitive adhesive that is crosslinked with metal chelates.

Each of Examples 2-7 of the Groves reference pertains to a primer solution, and not to a pressure-sensitive adhesive. There is absolutely nothing to be found anywhere in Groves that would teach or suggest a pressure-sensitive adhesive comprising a metal chelate crosslinked acid-modified or acid anhydride modified vinylaromatic block copolymer.

It is noted that although the primer solutions of Examples 2-7 are formed of a blend of primer composition (1) and primer composition (2), and primer composition (1) includes an anhydride modified styrene-ethylene/butylene-styrene copolymer, the fact is that the Examples nevertheless pertain to a primer solution and nothing teaches or suggests a chelate-crosslinked pressure-sensitive adhesive strip.

Clearly, a primer is not a pressure-sensitive adhesive. Primers are not pressure-sensitive.

The Pressure Sensitive Adhesive of Groves' Example 19 specifically excludes any metal chelates. Note that the list of ingredients provided for Example 19 includes no metal chelates, and that although the composition formed by the ingredients listed in this table is said to have been blended with the polymer prepared according to Example 7, it is specifically stated at line 56 of Example 19, that the pressure sensitive adhesive composition of Example 7 was used without the metal chelate.

Although the blend disclosed in Example 24 of the Groves reference comprises the block copolymer solution of Example 1 (comprising an anhydride modified styrene-ethylene/butylene-styrene copolymer), it also comprises twice as much of the acrylate ester copolymer of Example 1 (30 g of the acrylate vs. 15 g of the SEBS copolymer). Those skilled in the art considering the composition of Example 24 know that metal chelates, especially with titanium, are well-known for crosslinking acrylates. Therefore, those skilled in the art reading Examples 1-7 of the Groves reference would understand

that it is the acrylate component of the Examples that is being crosslinked, and not the vinylaromatic block copolymer.

Further, Applicants' claims now specifically exclude acrylates from the pressure-sensitive adhesives.

It is not known, or suggested anywhere, that vinylaromatic block copolymers could be crosslinked with metal chelates. Therefore Examples 1-7 of the reference, all of which include an acrylate component, could not possibly lead those skilled in the art to the crosslinking of vinylaromatic block copolymers themselves with metal chelates.

Beyond the absence of any teaching or suggestion of a pressure-sensitive adhesive tape comprising a metal chelate crosslinked acid-modified or acid anhydride modified vinylaromatic block copolymer, there is nothing in Groves that would lead any person skilled in the art to any adhesive that could be detached by stretching in the direction of the bondline. Applicants have previously pointed out that the disclosure at column 8, lines 60-66 and column 9, lines 16 of Groves, referenced by the Examiner, has nothing to do with an adhesive that is detachable by extensive stretching. By contrast, that language concerns measuring the peel strength of an adhesive. This is completely different than and non-suggestive of the detachment of an adhesive by stretching in the direction of the bondline.

In response, the Examiner argues that:

"it has been held that a chemical composition and its properties are inseparable. Therefore, if the prior art teaches the identical chemical structure, the properties applicant discloses and/or claims are necessarily present." (referring to *In re Spada*)

The operative principle in the *Spada* decision is "...the identical chemical structure..." The Examiner has not alleged that Groves discloses "the identical chemical structure" as is recited in Applicants' claims, only that Applicants' adhesive is an obvious variation of what is disclosed. As explained above, Applicants' composition is not an obvious variation of what is disclosed in Groves, as Groves' adhesive is not chelate-crosslinked, and those compositions of Groves which do comprise a chelate are not adhesives, they are primers and also include acrylates, which those skilled in the art understand to be chelate crosslinkable.

Applicants' adhesives, by contrast, are chelate-crosslinked and do not require acrylates for such chelate-crosslinking, as shown by Applicants' Example 1.

No person skilled in the art reading Groves and TYZOR would ever be led to a metal chelate crosslinked acid modified or acid anhydride-modified vinylaromatic block copolymer pressure-sensitive adhesive that did not require the presence of acrylates in order to be chelate crosslinked.

No person reading Groves and TYZOR could ever be led to Applicants' invention, and the rejection of claims 1-11 under 35 U.S.C. 103(a) as obvious over Groves US 5,623,010 in view of supporting evidence provided by TYZOR Technical

Bulletin K-17591 should therefore now be withdrawn.

Claims 1-11 stand rejected under 35 U.S.C. 103(a) as obvious over 35 U.S.C. 103(a) as obvious over Groves US 5,623,010 in view of Graham US 4,005,247. The differences between Applicants' claims and anything that could be derived from the Groves reference are discussed above. The Examiner turns to the Graham reference for a teaching of an acrylic interpolymers that reacts with a metal chelate to form a crosslinked polymer matrix.

Here again, however, an acrylate, which is known to be crosslinkable with a chelate, is present. Nothing in Graham would teach or suggest that a composition comprising styrene block copolymer could be crosslinked with a metal chelate, without the necessity of an acrylate being present. No person reading Groves and Graham would ever be led to a metal chelate crosslinked acid modified or acid anhydride-modified vinylaromatic block copolymer pressure-sensitive adhesive that did not require the presence of acrylates in order to be acrylate crosslinked.

Accordingly, no combination of Groves and Graham could possibly render Applicants' claims obvious, and the rejection of claims 1-11 under 35 U.S.C. 103(a) as obvious over Groves US 5,623,010 in view of Graham US 4,005,247 should now be withdrawn.

In view of the present amendments and remarks it is believed that claims 1 - 11

are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited. Should the Examiner not deem the present amendment and remarks to place the instant claims in condition for allowance, it is respectfully requested that this Amendment Under Rule 116 be entered for the purpose of placing the prosecution record in better condition for appeal.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

Respectfully submitted,
NORRIS, McLAUGHLIN & MARCUS, P.A.

By William C. Gerstenzang/
William C. Gerstenzang
Reg. No. 27,552

WCG/tmh

875 Third Avenue, 8th Floor
New York, NY 10022
(212) 808-0700
Fax: (212) 808-0844